

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

GENERAL TOOLS & INSTRUMENTS,
LLC.

Plaintiff,

v.

THE PARTNERSHIPS AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE “A”

Defendants.

Case No.: 1:20-cv-01036

Judge Jorge L. Alonso

Magistrate Judge Susan E. Cox

**DEFENDANTS’ MOTION TO SET ASIDE
ENTRY OF DEFAULT AND DEFAULT JUDGMENT
PURSUANT TO FED. R. CIV. P. 55(c) and 60(b)**

Defendants Lin-Tong, and MooMail-US (“Defendants”), by and through their counsel, submits this motion to set aside entry of default and default judgment under Fed. R. Civ. P. 55(c) and 60(b) to set aside entry of default and default judgment [Dkt. 111]. Defendants did not receive summons or complaint. At the time the court entered judgment against Defendants, it lacked personal jurisdiction over Defendants because of the improper service of process. The Court likewise lacked jurisdiction over the Defendants when it found Defendants in default. Because this Court cannot exercise personal jurisdiction over Defendants due to improper service, the judgment against Defendants should be void and vacated.

For the reasons detailed in the supporting memorandum, Defendants respectfully request that this Court set aside entry of default and default judgment for improper service.

Dated: January 22, 2021

Respectfully submitted,

/s/ Tianyu Ju

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this January 22, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system and service was perfected on all counsel of record and interested parties through this system, which will deliver a true and correct copy of the foregoing documents via CM/ECF.

Respectfully Submitted:

Date: 01/22/2021

/s/ Tianyu Ju

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